

PATENT

Att'y Docket No. ROC920030026US1 (IBM/244)

Confirmation No. 9970

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence for Application No. 10/626,086 is being electronically transmitted to Technology Center 2155, via EFS-WEB, on November 21, 2006.

/Scott A. Stinebruner/  
Scott A. Stinebruner, Reg. No. 38,323

November 21, 2006  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Roy Block et al. Art Unit: 2155  
Application No.: 10/626,086 Examiner: Thuong Nguyen  
Filed: July 24, 2003  
For: CLUSTER DATA PORT SERVICES FOR CLUSTERED COMPUTER SYSTEM

Cincinnati, Ohio 45202

November 21, 2006

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF APPEAL BRIEF (PATENT APPLICATION-37CFR 191)**

1. Transmitted herewith is the APPEAL BRIEF in this application with respect to the Notice of Appeal received by the Office on August 22, 2006.
2. **STATUS OF APPLICANT**

This application is on behalf of

**XX** **other than a small entity**  
\_\_\_\_\_ small entity status requested  
\_\_\_\_\_ small entity status previously requested and still proper

3. **FEE FOR FILING APPEAL BRIEF**

Pursuant to 37 CFR 1.17(f) the fee for filing the Appeal Brief is:

\_\_\_\_\_ Small entity \$250.00  
**XX** **Other than a small entity** **\$500.00**

4. **EXTENSION OF TIME**

Applicant petitions for an extension of time under 37 C.F.R. 1.136(a) for the total number of months checked below:

<u>Months</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<u>  X  </u> one month	\$ ..... 120.00	\$ ..... 60.00
_____ two months	..... 450.00	..... 225.00
_____ three months	..... 1,020.00	..... 510.00
_____ four months	..... 1,590.00	..... 795.00
_____ five months	..... 2,160.00	..... 1,080.00
Fee: <u>\$ 120.00</u>		

If an additional extension of time is required, please consider this a petition therefor.

5. **TOTAL FEE DUE**

The total fee due is:

Appeal Brief Fee \$500.00  
Extension Fee \$120.00

6. **FEE PAYMENT**

\_\_\_\_\_ Attached are checks in the sums of \_\_\_\_\_ and \_\_\_\_\_, respectively.  
\_\_\_\_\_ Charge fee to Deposit Account No. 23-3000.  
  XX   **Charge fees to Credit Card per attached Electronic Fee Sheet.**

7. **FEE DEFICIENCY**

  XX   Charge any additional extension fee required or credit any overpayment to Deposit Account No. 23-3000.

WOOD, HERRON & EVANS, L.L.P.

By   /Scott A. Stinebruner/    
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